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ACTION E-15

INFO OCT-01 EUR-20 CAB-09 CIAE-00 COM-08 DODE-00 DOT-12
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TO SECSTATE WASHDC PRIORITY 4526

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY 079124 DATE 05 MAY 1982
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ENDORSE EXISTING MARKINGS
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SUBJECT: CIVAIR NEGOTIATIONS

1. IN THIRD MEETING THIS MORNING ITALDEL AGREED DROP 747 ITEM AS PART CAPACITY UNDERSTANDING. HOWEVER THEY SAID CAPACITY PAPER (US DOC. 3, DECEMBER 1968) WAS DEFICIENT IN THAT PARA 6 COVERING EX POST FACTO CONSULTATIONS DID NOT TAKE CARE OF SITUATION ARISING FROM DISAGREED CONSULTATIONS. ITALDEL AGRUED PARA 6 COVERED QUESTION OF AGREED CONSULTATIONS EXPLICITLY. SIMILAR EXPLICIT COVERAGE OF DISAGREED CONSULTATIONS WAS REQUIRED.

2. USDEL POINTED OUT THAT US DOC. 3. LANGUAGE BASED ON ITAL DOC 3. AND REPRESENTED RESULT YEARS OF STUDY AND DISCUSSION BETWEEN THE TWO SIDES. TO REOPEN CAREFULLY CONTRIVED LANGUAGE MIGHT STIMULATE ANOTHER LONG DRAWN OUT DISCUSSION ON A SUBJECT WHICH WAS ESSENTIALLY AGREED WITH EXCEPTION 747 MATTER. IN US VIEW SILENCE ON QUESTION DISAGREED EX POST FACTO CONSULTATION WAS BEST WAY TO INSURE THAT CONSULTATIONS WOULD IN FACT BE SUCCESSFUL. US HAS EXPERIENCED MANY EX POST FACTO CONSULTATIONS ON US CAPACITY AND ALL HAVE BEEN RESOLVED SATISFACTORILY. AT END OF INCONCLUSIVE DEBATE ITALDEL SAID WISHED TO TABLE PROPOSAL ON THIS ISSUE IN DAY OR TWO. USDEL SAID WOULD REFER PROPOSAL TO WASH.

3. ITALDEL PROPOSED NEXT DISCUSS ROUTES AND REVIEWED RECENT HISTORY. STATED THAT ROUTE PROBLEM WAS MATTER OF NUMBER OF POINTS IN US FOR US CARRIERS. USDEL POINTED OUT THAT THIS WAS REALLY MULTIPLE DESIGNATION ISSUE BUT NOTED THAT TWO

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ISSUES INTERMINGLED. LONG DEBATE THEN DEVELOPED ON QUESTION OF FORMAL AGREEMENT. USDEL ARGUED THAT FROM BEGINNING CONCEPT HAD BEEN THAT US PREPARED ACEPT CERTAIN UNDERSTANDINGS IN SIDE AGREEMENT SO LONG AS BASIC US OBJECTIVES (CAPACITY, MULTIPLE DESIGNATION AND ALL-CARGO SERVICES) WERE INCLUDED IN FORMAL AGREEMENT.
USDEL WANTED CONFIRMATION OF THIS CONCEPT INCLUDING TYPE OF ROUTE SCHEDULE DESIRED (US DOC 4, DECEMBER 1968). ITALDEL OBJECTED TO DEALING WITH FORMAL AGREEMENT FIRST. SAID NEEDED TO KNOW WHAT SPECIFIC ARRANGEMENTS WERE WORKED OUT IN SIDE UNDERSTANDING BEFORE LOOKING AT FORMAL AGREEMENT. CITED POSSIBLE INCONSISTENCY IN ALL-CARGO ARRANGEMENTS AS EXAMPLE. USDEL EXPRESSED CONCERN THAT ITALIAN APPROACH SEEMED NEGATE DELICATELY BALANCED CONCEPT WORKED OUT IN PAST WITH GREAT DIFFICULTY AND OVER LONG TIME. USDEL HAD TO HAVE ASSURANCE ON CONCEPT BEFORE ENTERING INTO DISCUSSIONS ON SIDE UNDERSTANDING. DISCUSSION INCONCLUSIVE AND WILL BE CONTINUED.

4. COMMENT: USDEL FEARS ITALIAN RELUCTANCE TO CONFIRM FORMAL AGREEMENT (TEXT AND ROUTES) NOW MAY PRESAGE ATTEMPT MODIFY THIS LATER ON AFTER THEY ACHIEVE SIDE AGREEMENT SATISFACTORY TO THEM.
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